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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,081	01/17/2002	Rangamani Sundar	110014.134	9830

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EXAMINER

MEHRA, INDER P

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,081

Applicant(s)

SUNDAR ET AL.

Examiner

Inder P. Mehra

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,3-19 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☒ Claim(s) 10-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/8/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to application/amendment/request for consideration dated: 5/3 06. Based on this amendment, claims 1, 3-19 and 22 are pending. Claims 2, and 20-21 are cancelled.

2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Objections

3. Claims 10-12 and 14-18 are objected to because of the following informalities:

Claims 10 and 14 are identical and depend from claim 1.

Appropriate correction/clarification is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-9, 19 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by (US patent Application No. 2002/0085516),

For claims 1, 3, 19 and 22, Bridgelall discloses “A method of selecting an air interface protocol for a mobile station to use, wherein the mobile station includes (a) logic to communicate according to an 802.xx wireless local area network air interface protocol (WLAN logic), (b) logic to communicate according to a wireless wide area network air interface protocol (WWAN logic). and (c) logic to select one of the WLAN logic and the WWAN logic to communicate on an air interface”, **(Bridgelall discloses, “ IEEE 802.11 protocol for WLAN, refer to paragraph 0029; and further discloses “ seamlessly switch between a WLAN and WWAN or vice-versa, refer to paragraph 0052).** The method comprising:

- the mobile station detecting RF energy in a WLAN 802.xx spectrum, **(Bridgelall discloses “mobile listening for scheduled beacons sent by the AP, refer to paragraph 0044);**
- in response to the energy detecting step, identifying a 802.xx WLAN that can service the mobile station by performing a passive scanning operation in which the mobile station searches for a beacon frame broadcast by the 802.xx WLAN, **(Bridgelall discloses “the MS passively scans for WLAN network by listening for regularly scheduled beacons sent out by an AP access point or another mobile basic service set identification”, refer to paragraph 0011);:** and
- subsequent to identifying the 802.xx WLAN that can service the mobile station, the mobile station selecting the WLAN logic **(Bridgelall discloses “ switch between a WLAN and WWAN or vice-versa”, refer to paragraph 0052).**

- an active scanning operation in which the mobile station transmits probe request frames and waits for probe responses from the 802.xx WLAN, **(Bridgelall discloses “the mobile may initiate active scanning, which involves a transmission of a probe request---”; further discloses “the system may need to schedule the probe request so that the respective probe response can be captured “, refer to paragraph 0044).**

For claims 4-9, Bridgelall discloses the following claims:

- **As in claims 4-5, “wherein the beacon frame includes a SSID identifying an access point of the 802.xx WLAN”, (Bridgelall discloses “ The AP regularly transmits beacons---beacon frame having a Service Set Identifier SSID”, refer to paragraph 0044).**
- **As in claims 6-7, wherein the mobile station compares the SSID within the beacon frame with a set of SSIDs to determine if the SSID within the beacon frame is within the set of SSIDS and if so determining that the 802.xx WLAN sensed is a valid to service the mobile station, (Bridgelall discloses, “The mobile unit initiates an authentication response ---to the network- The response executes a cellular authentication – algorithm using the Service Set Identifier (SSID)”, refer to paragraph 0041).**

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- **As in claims 8-9, wherein the mobile station and the 802.xx WLAN authenticate the identity of each other. (Bridgelall discloses “The mobile unit initiates an authentication response ---to the network- The response executes a cellular authentication – algorithm using the Service Set Identifier (SSID),--- the algorithm produces a registration authentication result” refer to paragraph 0041).**

Allowable Subject Matter

6. Claims 10-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1, 3-19 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Inder Pal Mehra 7/31/06
Inder P Mehra
Examiner
Art Unit 2617


JOHN PEZZLO
PRIMARY EXAMINER